

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LINDSAY ANN DUNESKE,

Case No. 23-11778

Plaintiff,

F. Kay Behm

v.

United States District Judge

FEDERAL BUREAU OF INVESTIGATION,
et al.,

Defendants.

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ORDER DISMISSING CASE

Plaintiff Lindsay Ann Duneske filed both a complaint and an application to proceed *in forma pauperis* (IFP) on July 21, 2023. (ECF No. 1, 2). On February 5, 2024, the court entered an Order requiring Plaintiff to file an amended IFP application to correct several deficiencies, including that: (1) the application was unsigned; (2) the application failed to include a supplemental explanation to her answer to question nine, as is explicitly required; and (3) the application listed the full names of her minor children. (ECF No. 7). The court's Order also notified Plaintiff that failure to submit a corrected IFP application by the deadline would result in its denial. *Id.*, PageID.18. Plaintiff failed to file a corrected IFP application by the deadline and, as a result, the court entered an Order on March

5, 2024 denying her application and directing her to pay the \$405.00 filing fee by April 5, 2024. (ECF No. 8). This Order further warned Plaintiff that “[f]ailure to pay the filing fee by this deadline may result in dismissal of the complaint.” *Id.*, PageID.19.

“Federal courts possess certain ‘inherent powers...to manage their own affairs so as to achieve the orderly and expeditious disposition of cases.’” *Goodyear Tire & Rubber Co. v. Haeger*, 581 U.S. 101 (2017) (quoting *Link v. Wabash R.R.*, 370 U.S. 626, 630-31 (1962)). Plaintiff’s failure to either file an amended IFP application or pay the required filing fee warrants dismissal of this case pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute. *See Jourdan v. Jabe*, 951 F.2d 108, 109 (6th Cir. 1991) (“Fed. R. Civ. P. 41(b) recognizes the power of the district court to enter a *sua sponte* order of dismissal.”). As such, the court **DISMISSES** Plaintiff’s complaint without prejudice.

SO ORDERED.

Date: April 17, 2024

s/ F. Kay Behm
F. Kay Behm
United States District Judge